

FOR FURTHER INFORMATION CONTACT: Brad Lund, Office of Inspection and Control, 202-927-0192.

SUPPLEMENTARY INFORMATION:

Background

As part of its continuing program to obtain more efficient use of its personnel, facilities, and resources, and to provide better service to carriers, importers, and the general public, Customs is amending § 101.3, Customs Regulations (19 CFR 101.3), to expand the geographical limits of the ports of entry of Hilo and Kahului, Hawaii.

The expanded boundaries of the port of Hilo will include the entire island of Hawaii. The expanded boundaries of the port of Kahului will include the entire island of Maui. Expansion of the port limits for these two islands will improve service to the public and will make better use of staffing resources.

Comments

Customs published a Notice of Proposed Rulemaking in the **Federal Register** (59 FR 43313) on August 23, 1994, which invited the public to comment on proposed changes to the limits of the ports as described above.

Seventeen comments were received, all of which approved of the proposed expansions. Accordingly, the amendments are being published in final as they were proposed.

Revised Port Limits

The revised port limits for the port of Hilo are as follows:

In the State of Hawaii: The entire island of Hawaii.

The revised port limits for the port of Kahului are as follows:

In the State of Hawaii: The entire island of Maui.

Regulatory Flexibility Act and Executive Order 12866

Although Customs solicited public comments on these port extensions, no notice of proposed rulemaking was required because the port extensions relate to agency management and organization. Accordingly, this document is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Agency organization matters such as these port extensions are exempt from consideration under Executive Order 12866.

Drafting Information

The principal author of this document was Janet L. Johnson, Regulations Branch. However, personnel from other offices participated in its development.

List of Subjects in 19 CFR Part 101

Customs duties and inspection, Exports, Imports, Organization and functions (Government agencies).

Amendments to the Regulations

Accordingly, Part 101 of the Customs Regulations is amended as set forth below:

PART 101—GENERAL PROVISIONS

1. The general authority citation for Part 101 continues to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 2, 66, 1202 (General Note 17, Harmonized Tariff Schedule of the United States), 1623, 1624.

2. The list of Customs regions, districts and ports of entry in § 101.3(b) is amended by adding the reference “T. D. 95-11”, alongside both “Hilo” and “Kahului” in the column headed “Ports of entry” in the Honolulu, Hawaii District of the Pacific Region.

George J. Weise,

Commissioner of Customs.

Approved: December 29, 1994.

John P. Simpson,

Deputy Assistant Secretary of the Treasury.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 310

Drug Products Containing Certain Active Ingredients Offered Over-the-Counter (OTC) for Certain Uses

CFR Correction

In title 21 of the Code of Federal Regulations, parts 300 to 499, revised as of April 1, 1994, on page 63, in § 310.545, paragraph (a)(7), the entry for “Menthol” is corrected by removing the parenthetical phrase.

BILLING CODE 1505-01-D

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MT23-1-6402a; FRL-5128-1]

Approval and Promulgation of Air Quality Implementation Plans; Montana; State Implementation Plan for East Helena SO₂ Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA fully approves the State implementation plan (SIP) submitted by the State of Montana to achieve attainment of the primary National Ambient Air Quality Standards (NAAQS) for sulfur dioxide (SO₂). The SIP was submitted by Montana to satisfy certain federal requirements for an approvable nonattainment area SO₂ SIP for East Helena. The effect of EPA's final action is to make the East Helena Primary SO₂ NAAQS SIP federally enforceable.

DATES: This final rule is effective March 28, 1995, unless adverse comments are received by February 27, 1995. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Comments should be addressed to Meredith A. Bond, 8ART-AP, Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2405. Copies of the State's submittal and other information are available for inspection during normal business hours at the following locations: Air Programs Branch, Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2405; and Montana Department of Health and Environmental Sciences, Air Quality Bureau, Cogswell Building, Helena, Montana 59620-0901; and U.S. EPA Air & Radiation Docket Information Center, 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Meredith Bond at (303) 293-1764.

SUPPLEMENTARY INFORMATION:

I. Background

East Helena, Montana, is a small community located about 5 miles east of the State capitol, Helena. The major industrial source affecting the SO₂ concentrations in the ambient air is the Asarco, Incorporated, primary lead smelter. The following summarizes the regulatory history of the East Helena SO₂ nonattainment area.

On September 19, 1975, EPA approved the revision to the Montana SIP which sets forth a sulfur oxide control strategy to provide for attainment and maintenance of the SO₂ NAAQS near Asarco in East Helena (40 FR 43216).

The Clean Air Act Amendments of 1977 provided for non-attainment designations for areas violating the NAAQS. On March 3, 1978, EPA designated the East Helena area as nonattainment for SO₂ based on historical ambient monitoring data